



# PROPOSED AMENDMENT

## HB 1591 # 8

### DIGEST

Proposed committee amendment to AM159106.

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- 1       Page 1, between lines 4 and 5, begin a new paragraph and insert:  
2       "SECTION 1. IC 2-5-36 IS ADDED TO THE INDIANA CODE AS  
3       A **NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON**  
4       **PASSAGE]:**
- 5       **Chapter 36. Indiana Affordable Care Study Committee**  
6       **Sec. 1. As used in this chapter, "Affordable Care Act" refers to**  
7       **the federal Patient Protection and Affordable Care Act (P.L.**  
8       **111-148), as amended by the federal Health Care and Education**  
9       **Reconciliation Act of 2010 (P.L. 111-152).**
- 10       **Sec. 2. As used in this chapter, "committee" refers to the**  
11       **Indiana affordable care study committee established by section 4**  
12       **of this chapter.**
- 13       **Sec. 3. As used in this chapter, "exchange" refers to an**  
14       **American health benefit exchange established for Indiana under**  
15       **the Affordable Care Act.**
- 16       **Sec. 4. (a) There is established the Indiana affordable care study**  
17       **committee.**
- 18       **(b) The committee shall study and make recommendations**  
19       **concerning the following:**
- 20               **(1) The implementation of an exchange established for**  
21               **Indiana.**
- 22               **(2) The definition of "essential health benefits" for use in**  
23               **Indiana under the Affordable Care Act, including ensuring**  
24               **that the definition results in adequate benefits.**
- 25       **(c) The committee shall receive and consider annual reports**  
26       **from the office of the secretary of family and social services**  
27       **concerning the status and operation of the exchange established for**  
28       **Indiana.**

(d) The committee shall, not later than November 1 of each year, report the committee's findings and recommendations concerning the committee's study under subsection (b) to the legislative council in an electronic format under IC 5-14-6.

**Sec. 5.** The committee shall operate under the policies governing study committees adopted by the legislative council.

**Sec. 6. (a)** The committee consists of the following voting members:

(1) Four (4) members of the senate, not more than two (2) of whom may be members of the same political party, appointed by the president pro tempore.

(2) Four (4) members of the house of representatives, not more than two (2) of whom may be members of the same political party, appointed by the speaker.

(3) The secretary of family and social services or the secretary's designee.

(4) The commissioner of the state department of health or the commissioner's designee.

(5) The commissioner of insurance or the commissioner's designee.

(6) One (1) member representing the insurance industry.

(7) One (1) member representing hospitals.

(8) One (1) member representing physicians.

(b) The president pro tempore shall appoint a chairperson of the committee during each even-numbered year. The speaker shall appoint a chairperson of the committee during each odd-numbered year.

**Sec. 7.** The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.

**Sec. 8.** This chapter expires July 1, 2016."

Page 7, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 10. IC 12-15-46-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 4.5. (a)** As used in this section, "Affordable Care Act" refers to the federal Patient Protection and Affordable Care Act (P.L. 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (P.L. 111-152).

(b) As used in this section, "exchange" refers to an American

1 health benefit exchange established for Indiana under the  
2 Affordable Care Act.

3 (c) The Indiana health benefit exchange advisory committee is  
4 created for the purpose of advising the office with respect to policy  
5 and program administration related to:

- 6 (1) an exchange established for Indiana under the Affordable  
7 Care Act consistent with the requirements of federal law; and  
8 (2) implementation of a program under section 4 of this  
9 chapter.

10 (d) The governor shall appoint nine (9) members of the advisory  
11 committee as follows:

- 12 (1) One (1) member who is a representative of health  
13 consumer advocates.  
14 (2) One (1) member who is a representative of small business.  
15 (3) One (1) member who is a self-employed individual.  
16 (4) One (1) member who has expertise in small employer  
17 health insurance coverage.  
18 (5) One (1) member who has expertise in individual health  
19 insurance coverage.  
20 (6) One (1) member who has expertise in administration of a  
21 health benefit plan.  
22 (7) One (1) member who has expertise in administration of a  
23 public or private health care delivery system.  
24 (8) Two (2) members who are eligible for or enrolled in  
25 Medicaid risk-based managed care implemented under  
26 sections 4 and 5 of this chapter.

27 (e) Three (3) individuals shall serve as ex officio members of the  
28 advisory committee, as follows:

- 29 (1) The commissioner or the commissioner's designee, who  
30 shall serve as chairperson.  
31 (2) The secretary of family and social services or the  
32 secretary's designee.  
33 (3) The commissioner of the state department of health, or the  
34 commissioner's designee.

35 (f) Members of the advisory committee:

- 36 (1) shall serve a three (3) year term;  
37 (2) may be reappointed to successive terms; and  
38 (3) serve at the pleasure of the governor.

39 (g) Members of the advisory committee shall serve without  
40 compensation. However, if sufficient money is available from

1 federal grant funds or revenues generated by the exchange, each  
2 member may receive the per diem allowance and travel expenses  
3 provided for in rules that apply to executive committees adopted  
4 by the Indiana department of administration.

5 (h) The advisory committee shall do the following:

6 (1) Review and comment on policy initiatives related to  
7 quality improvement, health care benefits, and eligibility of  
8 individuals for coverage through the exchange and  
9 implementation of sections 4 and 5 of this chapter.

10 (2) Advise the department in setting budget priorities,  
11 including consideration of scope of benefits, beneficiary  
12 eligibility, health care professional reimbursement rates,  
13 funding outlook, financing options, and possible budget  
14 recommendations.

15 (3) Assess the effectiveness of implementation of sections 4  
16 and 5 of this chapter.

17 (4) Not later than June 30 of each year, submit  
18 recommendations to the governor and, in an electronic format  
19 under IC 5-14-6, to the legislative council concerning the  
20 implementation of the exchange and of sections 4 and 5 of this  
21 chapter.

22 (5) Provide other advisory assistance as requested by the  
23 department or other agencies of the state.".

24 Renumber all SECTIONS consecutively.

(Reference is to AM159106-2013.)